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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,818	08/25/2003	Masaru Inoue	031058	1815

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EXAMINER	
HEINRICH, SAMUEL M	
ART UNIT	**PAPER NUMBER**
1793	

MAIL DATE	DELIVERY MODE
12/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/646,818	INOUE ET AL.	
	Examiner	Art Unit	
	Samuel M. Heinrich	1725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 September 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 August 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

Applicant's election of claims 1-5 in the reply filed on April 08, 2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,011,239 to Singh et al in view of USPN 4,691,241 to Tomohisa et al and in view of USPN 5,622,567 to Kojima et al.

Singh et al show (Figure 7) application of laser energy to a thin plate head suspension element in order to bend the suspension slightly. Tomohisa et al describe (Summary, column 1, lines 12-19) a laser beam is "brought to the galvano mirror to be polarized." Kojima et al describe (column 31, paragraph 1) "Focal length of the condenser lens is long, and therefore the sizes of the laser beams focused on the entire surface of the target are approximately the same." The use of well known beam control described by Tomohisa et al and Kojima et al in the adjustment method of Singh et al would have been obvious at the time applicant's invention was made to a person having ordinary skill in the art because laser apparatus beam energy applied to the work can be finely controlled and the energy control described by Singh et al (Abstract) can be optimized. With respect to claims 4 and 5, assigning map regions or feature areas on the workpiece would have been obvious in order to easily identify locations for beam application.

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,011,239 to Singh et al in view of USPN 4,691,241 to Tomohisa et al and in view of USPN 5,622,567 to Kojima et al in view of USPN 6,086,773 to Dufresne et al.

Singh et al show (Figure 7) application of laser energy to a thin plate head suspension element in order to bend the suspension slightly. Tomohisa et al describe (Summary, column 1, lines 12-19) a laser beam is "brought to the galvano mirror to be polarized.". Kojima et al describe (column 31, paragraph 1) "Focal length of the condenser lens is long, and therefore the sizes of the laser beams focused on the entire surface of the target are approximately the same." Dufresne et al describe (column 13,

lines 1-9) well known shaping of a beam to impart particular "the precise pattern needed".

The use of well known beam control described by Tomohisa et al and Kojima et al in the adjustment method of Singh et al would have been obvious at the time applicant's invention was made to a person having ordinary skill in the art because laser apparatus beam energy applied to the work can be finely controlled and the energy control described by Singh et al (Abstract) can be optimized. The use of well known shaping of a beam to impart "the precise pattern needed" as described by Dufresne et al (column 13, lines 1-9) would have been obvious at the time applicant's invention was made to a person having ordinary skill in the art because the use of known preselected shapes speeds beam application and speeds production. Applicant's "combined shape of characters" and "between a first point and an end point" are shapes which are reproducible using shapes and descriptions described by Dufresne et al. With respect to claims 4 and 5, assigning map regions or feature areas on the workpiece would have been obvious in order to easily identify locations for beam application.

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (AAPA) in view of USPN 6,011,239 to Singh et al in view of USPN 4,691,241 to Tomohisa et al and in view of USPN 5,622,567 to Kojima et al in view of USPN 6,086,773 to Dufresne et al.

AAPA describes (Specification, Background of the Related Art) well known laser application which is used to correct suspension components. Singh et al show (Figure 7) application of laser energy to a thin plate head suspension element in order to bend

the suspension slightly. Tomohisa et al describe (Summary, column 1, lines 12-19) a laser beam is "brought to the galvano mirror to be polarized." Kojima et al describe (column 31, paragraph 1) "Focal length of the condenser lens is long, and therefore the sizes of the laser beams focused on the entire surface of the target are approximately the same." Dufresne et al describe (column 13, lines 1-9) well known shaping of a beam to impart particular "the precise pattern needed".

The use of well known beam control described by Tomohisa et al and Kojima et al in the adjustment methods of AAPA and Singh et al would have been obvious at the time applicant's invention was made to a person having ordinary skill in the art because laser apparatus beam energy applied to the work can be finely controlled and the energy application and energy control described by AAPA and Singh et al (Abstract) can be optimized. The use of well known shaping of a beam to impart "the precise pattern needed" as described by Dufresne et al (column 13, lines 1-9) would have been obvious at the time applicant's invention was made to a person having ordinary skill in the art because the use of known preselected shapes speeds beam application and speeds production. Applicant's "combined shape of characters" and "between a first point and an end point" are shapes which are reproducible using shapes and descriptions described by Dufresne et al. With respect to claims 4 and 5, assigning map regions or feature areas on the workpiece would have been obvious in order to easily identify locations for beam application.

Response to Arguments

Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel M. Heinrich whose telephone number is 571-272-1175. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. Johnson can be reached on 571-272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Samuel M. Heinrich

Samuel M Heinrich
Primary Examiner
Art Unit 1725

SMH